

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

VIVIANN ROSE-VELASQUEZ,

Plaintiff,

vs.

JO ANNE B. BARNHART, Commissioner of
Social Security Administration,

Defendant.

ORDER ADOPTING REPORT AND
RECOMMENDATION

Case No. 2:06-CV-297 TS

On April 7, 2006, Plaintiff filed her Complaint.¹ This case was subsequently referred to the Magistrate Judge under 28 U.S.C. § 636(b)(1)(B).² The Magistrate Judge issued a Report and Recommendation on October 11, 2007.³ This matter is before the Court for consideration of that Report and Recommendation.

The Magistrate Judge recommends that Plaintiff's request for the Court to reverse or remand the Commissioner's decision be granted. In particular, the Magistrate Judge recommends that this matter be remanded to the Administrative Law Judge ("ALJ") to: (1)

¹Docket No. 3.

²Docket No. 4.

³Docket No. 16.

conduct a new assessment based on the submitted evidence as to whether or not Plaintiff's impairments prohibit her from performing past relevant work analyzed under step four of the sequential process; (2) further assess jobs available in the national economy; and (3) address Plaintiff's transferable skills at step five.

Pursuant to 28 U.S.C. § 636(b), a party has 10 days from their receipt of the Report and Recommendation to file an objection. Neither party has done so. The Court has considered the pleadings in the file and the Report and Recommendation. It is therefore

ORDERED that the Magistrate Judge's October 11, 2007 Report and Recommendation (Docket No. 16) is ADOPTED IN FULL. It is further

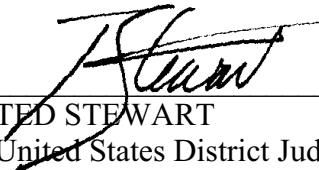
ORDERED that this matter is REMANDED to the ALJ. Upon remand, the ALJ must:

1. Conduct a new assessment based on the submitted evidence as to whether or not Plaintiff's impairments prohibit her from performing past relevant work analyzed under step four of the sequential process;
2. Further assess jobs available in the national economy; and
3. Address Plaintiff's transferable skills at step five.

The Clerk of Court is ordered to close this case forthwith.

DATED this 30th day of October, 2007.

BY THE COURT:



TED STEWART
United States District Judge